

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Case No.: 20-20508
Gregory A Rager	:	Chapter 13
Holly J Rager	:	Judge Carlota M. Bohm
	:	* * * * *
Debtor(s)		
	:	
Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto	:	
	:	
Movant,	:	
vs	:	
	:	
Gregory A Rager	:	
Holly J Rager	:	
	:	
Ronda J. Winnecour		
Respondents.		Related Document # 43

STIPULATION OF MOVANT WELLS FARGO BANK, N.A., D/B/A WELLS FARGO
AUTO GRANTING RELIEF FROM STAY AS TO PERSONAL PROPERTY
2012 DODGE GRAND CARAVAN (DOCKET # 43)

This matter came to be considered on the Motion for Relief from Stay (the "Motion") filed by Wells Fargo Bank, N.A., d/b/a Wells Fargo Auto ("Movant") as Docket Number 43 with respect to certain personal property of 2012 Dodge Grand Caravan (the "Personal Property").

Movant has alleged that good cause exists for granting the Motion and that Gregory A Rager and Holly J Rager (collectively, "Debtor"), counsel for the Debtor, the Trustee, and all other necessary parties were served with the Motion and with notice of the hearing date of the Motion. No party has filed a response or otherwise appeared in opposition to the Motion.

A hearing was held before the court on February 15, 2022 to address the court's concerns of possible equity. Since the hearing, Debtor's counsel contacted Debtor to ascertain the condition of the vehicle. The Debtor states that at the time the vehicle was surrendered, the mileage was over 100,000 and the vehicle was inoperable and in need of a new transmission.

The Kelly Blue Book value based on a fair condition of the vehicle is \$4,062.00. The amount owed according to the Trustee's website is \$4,583.00, so there does not appear to be equity in this vehicle.

Movant states the value included in the pending motion was a pre-inspection estimation and based on the additional details provided by Debtor's counsel, it appears the fair market value is no more than \$4,062.00.

The Movant further agrees that in light of the confusion surrounding the request for relief from stay that to the extent that the collateral is sold while the Chapter 13 bankruptcy is still pending, Movant will; (a) liquidate its collateral in a commercially reasonable manner; (b) provide the Chapter 13 Trustee with a report of sale (including the sale amount and costs and expenses of the sale) in the event the Chapter 13 case is still pending if the sale generates a surplus in excess of the total costs and expenses of the sale and the balance owed; and (c) pays any surplus proceeds to the Trustee to be disposed of by the Trustee as additional plan funding.

The Motion is granted and the automatic stay imposed by 11 U.S.C. § 362(a) of the Bankruptcy Code is terminated with respect to Movant and its successors and assigns, regarding the Property.

###

MANLEY DEAS KOCHALSKI LLC

Dated: 03/01/2022 _____

BY: /s/Stephen R. Franks _____
Stephen R. Franks (0075345)
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611; Fax 614-627-8181
Email: srfranks@manleydeas.com

Attorney for Creditor

Dated: 03/01/2022

BY: /s/ Glenn R. Bartifay
Glenn R. Bartifay
2009 Mackenzie Way
Suite 100
Cranberry Township, PA 16066
Email: gbartifay@bartifaylaw.com
Attorney for Debtor

I do not object to the foregoing Stipulation

/s/ Owen Katz, Staff Attorney
Owen Katz, Staff Attorney
Ronda J. Winnecour
Suite 3250, USX Tower
600 Grant Street
Pittsburgh, PA 15219

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: Case No.: 20-20508
Gregory A Rager : Chapter 13
Holly J Rager : Judge Carlota M. Bohm
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Debtor(s) :

Wells Fargo Bank, N.A., d/b/a Wells :
Fargo Auto :
Movant, :
vs :
Gregory A Rager :
Holly J Rager :
:

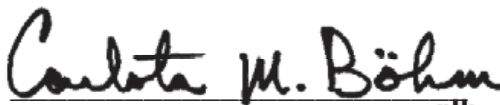
Ronda J. Winnecour
Respondents. Related Document # 43

ORDER OF COURT

AND NOW, to wit, this 2nd day of March, 2022, upon consideration of the foregoing Stipulation for Settlement of Movant's Motion for Relief from the Automatic Stay, it is hereby **ORDERED, ADJUDGED AND DECREED** that:

1. The terms of the foregoing Stipulation are hereby approved in their entirety and incorporated herein as part of this Order.
2. Pursuant to the Stipulation, Movant is entitled to relief from the automatic stay upon default of Debtor, subject to the terms of the Stipulation.

By the Court:



Carlota M. Böhm ^{glb}
Chief United States Bankruptcy Judge

FILED
3/2/22 3:58 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Gregory A Rager
Holly J Rager
Debtors

Case No. 20-20508-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 02, 2022

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 04, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Gregory A Rager, Holly J Rager, 5868 Madison Avenue, Export, PA 15632-1343

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 04, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 2, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Freedom Mortgage Corporation bnicholas@kmlawgroup.com
Glenn R. Bartifay	on behalf of Joint Debtor Holly J Rager gbartifay@bartifaylaw.com sfallat@bartifaylaw.com;gbartifay@yahoo.com
Glenn R. Bartifay	on behalf of Debtor Gregory A Rager gbartifay@bartifaylaw.com sfallat@bartifaylaw.com;gbartifay@yahoo.com
Mario J. Hanyon	on behalf of Creditor Freedom Mortgage Corporation wbecf@brockandscott.com mario.hanyon@brockandscott.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Mar 02, 2022

Form ID: pdf900

Total Noticed: 1

cmecf@chapter13trusteedpa.com

Stephen Russell Franks

on behalf of Creditor Wells Fargo Bank N.A., d/b/a Wells Fargo Auto amps@manleydeas.com

Thomas Song

on behalf of Creditor Freedom Mortgage Corporation pawb@fedphe.com

TOTAL: 8